


OCT 21 2021

KEVIN P. WEIMER, Clerk  
By:  Deputy Clerk

United States District Court  
for the  
Northern District of Georgia  
Atlanta Division

Christopher D. Nadel  
Plaintiff,


v

Case Number:

**1:21-CV-4374**

Cardinal Financial  
Defendant,

Complaint.

Complaint filed with Attached  
Typed up labeled 10/1  Please see attached.

October 18th, 2021

Cardinal Financial  
3550 George Busbee Pkwy NW, Kennesaw  
Kennesaw, GA 30144, United States

To Whom It May Concern (RE: ■ TCPA Violations.) at Cardinal Financial,

In August on the 10<sup>th</sup> Day of the year 2021, I spoke to a representative and explained to them, including management to put me on your (Cardinal Financial) do not call (registry) list and to no longer call, text or email me as long as the company is in business. I was assured that I would no longer be contacted and added to the DNC list as a direct result of me demanding to be listed to it. Because your company failed to abide by the Do not call request and since have contacted me multiple times in a row back to back through text, email and calls after calling in the future to assure me they put me on the and are now in violation of State and Federal Law associated by the TCPA.

These are the violations as a result of your company continuing to call me have committed.

**#1 Unsolicited Automated Calls or Texts to Cellphones**

If a business, without prior express written consent, calls a cell phone using automated dialing or a prerecorded message for marketing purposes, that constitutes a TCPA violation. As we've touched on, if someone has given you express written consent, you can text them.

**#2 Unsolicited Prerecorded or Artificial Voice Calls or Texts to Residential Phone Numbers**

In order for businesses to call residential numbers with artificial or prerecorded voice technology, they also must have the prior express written consent of the called party.

**#3 Calls to Those Listed on the Do Not Call Registry**

it's illegal to call anyone who has opted-out of phone calls by registering on the federal Do Not Call Registry, subject to certain exceptions, such as the called party's prior express invitation or an "established business relationship". If the telemarketer hasn't done business with the consumer in the last 18 months, then they do not have an established business relationship.

As a direct result of these violations I am suing your company Cardinal Financial, and seek to hold you responsible for paying \$63,843.25 for these violations as well as: penalties And fines to the Federal organization who assesses these Penalties—in the form of "statutory damages"—associated with violations of the TCPA can include \$500 per each violation and up to \$1,500 per willful violation, In addition to private citizen lawsuits, the FTC and FCC both have authority to bring actions for violations of the TCPA, as do individuals and state attorneys general on behalf of citizens of their states.

Sincerely,

Christopher D Nadel